

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hans-Michael EGGENWEILER et al.

Examiner: Laura Stockton

Serial No.: 10/750,878

Group Art Unit: 1626

Filed: January 5, 2004

Confirmation No.: 3234

Title: IMIDAZOLE DERIVATIVES AS PHOSPHODIESTRASE VII INHIBITORS

REQUEST FOR REJOINDER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

All claims elected in the present application are allowed. In accordance with MPEP §821.04, it is submitted that the non-elected method claims *must* be rejoined with the allowed product claims.

The decision of petition mailed October 13, 2006 is noted. That petition was dismissed for timeliness, and not on substantive matters. However, it is submitted that the policy set forth in MPEP § 821.04 mandates rejoining of the claims. The same is respectfully requested.

Respectfully submitted,

/Harry B. Shubin/

Harry B. Shubin, Reg. No. 32,004
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-2412-D01
Date: March 20, 2008
HBS/tls